



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/757,940

01/10/2001

R. Mark Halligan

77901

8523

24628 7590 02/14/2008

WELSH & KATZ, LTD  
120 S RIVERSIDE PLAZA  
22ND FLOOR  
CHICAGO, IL 60606

EXAMINER

MOONEYHAM, JANICE A

ART UNIT

PAPER NUMBER

3629

MAIL DATE

DELIVERY MODE

02/14/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

---

*Ex parte* MARK R. HALLIGAN and RICHARD WEYAND

---

Application 09/757,940  
Technology Center 3600

---

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

---

This Image File Wrapper (IFW) application was electronically received at the Board of Patent Appeals and Interferences on February 12, 2008. A review has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matter requiring attention prior to docketing is identified below:

The Appellants submitted a Supplemental Response and attachments on May 5, 2006. No further mention of this Response was noted in any subsequent Office Action issued by the Examiner. For clarification purposes, it is imperative that the Examiner respond to these documents submitted by Appellants with regards to the rejections on appeal.



Accordingly, it is *ORDERED* that the application is returned to the Examiner:

- 1) to clarify the written record as to the status of the Supplemental Response of May 5, 2006; and
- 2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

---

PATRICK J. NOLAN  
Deputy Chief Appeals Administrator  
(571) 272-9797

PJN/hh

WELSH & KATZ, LTD.  
120 S RIVERSIDE PLAZA  
22ND FLOOR  
CHICAGO, IL 60606